

**BEFORE THE  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

**In The Matter Of:**

**KAY TALAGANOV DBA BG  
TRANSPORT,**

**Respondent.**

**Docket No. FMCSA-2009-0025<sup>1</sup>  
(Midwestern Service Center)**

**ORDER DISMISSING PROCEEDING AND CLOSING DOCKET**

On April 10, 2009, the Field Administrator for the Federal Motor Carrier Safety Administration's Midwestern Service Center (Claimant) submitted a Notice of Settlement and Motion to Close the Docket. Claimant and Respondent entered into a Settlement Agreement on February 20, 2008, which required Respondent to make six monthly payments totaling \$15,605, beginning March 31, 2008.<sup>2</sup> When Respondent failed to make any payments under the Agreement, Claimant demanded full payment of the original proposed civil penalty. After Respondent failed to make full payment, Claimant issued an Order to Cease All Interstate Transportation and Registration Suspension (Order to Cease).

On November 21, 2008, Respondent filed a Petition to Rescind the Order to Cease.<sup>3</sup> On or about January 29, 2009, Respondent tendered full payment of the balance due of its payment obligation, and the Order to Cease and Out-of-Service Order were

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<sup>1</sup> The prior case number of this matter was IL-2007-0151-US0769.

<sup>2</sup> This amount was 50% of the \$30,130 civil penalty proposed in a January 30, 2008, Notice of Claim. The remaining 50% of the penalty was suspended, contingent upon Respondent's compliance with the terms of the Settlement Agreement.

<sup>3</sup> On December 4, 2008, after Respondent filed its petition, Claimant issued a "failure to pay" Out-of-Service Order.

subsequently rescinded.<sup>4</sup> In light of the rescission of these Orders, Respondent's petition has been rendered moot.

THEREFORE, *It Is Hereby Ordered*, Respondent's Petition to Rescind is dismissed and the docket is closed.



Rose A. McMurray  
Assistant Administrator  
Federal Motor Carrier Safety Administration

7.7.09  
Date

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<sup>4</sup> Respondent had paid Claimant approximately \$4,000 between October 2008 and February 2009.

**CERTIFICATE OF SERVICE**

This is to certify that on this 9 day of July, 2009, the undersigned mailed or delivered, as specified, the designated number of copies of the foregoing document to the persons listed below.

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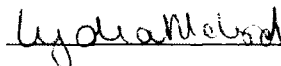
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